

1 Caitlin J. Scott, Esq. (State Bar No. 310619)
2 AMERICAN LEMON LAW GROUP, LLP
3 6230 Wilshire Blvd., Suite 885
4 Los Angeles, CA 90048
5 Telephone: 877-707-0004
6 Facsimile: 213-900-7010
7 E-service: eservice@allgteam.com

8 **Attorneys for Plaintiff, NANCY BELLEVILLE**

9
10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12

13 Nancy Belleville, an Individual
14 Plaintiff,

15 v.

16 PORSCHE CARS NORTH
17 AMERICA, INC., a Delaware
18 corporation, and DOES 1 through
19 20, inclusive,

20 Defendants.
21
22
23
24
25
26
27

Case No.: 2:25-cv-2631

[Los Angeles Superior Court Case No.
25NWCV00618]

**DECLARATION OF CAITLIN J.
SCOTT IN SUPPORT OF
PLAINTIFF'S MOTION FOR
REMAND TO STATE COURT**

DATE: May 29, 2025
TIME: 10:00 a.m
**COURTROOM: First Street
Courthouse, Courtroom 5B**

Action Filed: February 20, 2025
Trial Date: None

DECLARATION OF CAITLIN J. SCOTT

I, Caitlin J. Scott, declare as follows:

1. I am an attorney at law duly licensed and entitled to practice in the State of California and admitted to practice before this Court. I make this declaration in support of Plaintiffs' Motion for Remand to State Court. I am an Associate at American Lemon Law Group, attorneys of record for Plaintiff Nancy Belleville. I am the primary handling attorney in this matter on behalf of Plaintiff. In that capacity, I am personally familiar with the facts set forth herein and if called as a witness in this case, I could and would competently testify thereto.

2. On February 20, 2025, Plaintiff filed this Song-Beverly Consumer Warranty action in California Superior Court, County of Los Angeles, where it was assigned Case No. 25NWCV00618.

3. On March 26, 2025, Defendant PORSCHE CARS NORTH AMERICA, INC. removed this matter from state to Federal court via a notice of removal.

4. This motion is made following the conference of counsel pursuant to L.R. 7-3. On April 1, 2025, I emailed Sarah Suard, and requested a phone conversation to discuss in detail, the reasons why Remand is appropriate. On April 10, 2025, Ms. Suard and I telephonically met and conferred regarding the issues in this Motion. The Parties disagreed on whether Defendant met its burden of proof that removal was procedurally and substantively proper. Attached hereto as **EXHIBIT 1** is a true and correct copy of the email thread.

I declare under penalty of perjury under the laws of the United State of America that the foregoing is true and correct.

//

//

//

//

1 Executed this 25th day of April, at Los Angeles, California

2
3
4 /s/ Caitlin J. Scott

5 Caitlin J. Scott, Esq.

6 Attorney for Plaintiff Nancy Belleville
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

EXHIBIT 1



RE: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDEx)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

From Sarah Suard <sarah@thetafirm.com>

Date Fri 4/11/2025 2:41 PM

To Caitlin Scott <cscott@allgteam.com>; Audrey Fenton <audrey@thetafirm.com>; American Lemon Law Group <eservice@allgteam.com>; E-Service <eservice@thetafirm.com>

Cc Soheyl Tahsildoost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Meghan Gallagher <mg@thetafirm.com>; Mariquile Dael <mdael@allgteam.com>; Yvette Linares <ylinares@allgteam.com>; Kyle Tracy <kyle@allgteam.com>

Hi Caitlin,

Received. Thank you.

--

Sarah Suard, Esq.

Theta Law Firm, LLP

12100 Wilshire Blvd., Ste. 1070

Los Angeles, CA 90025

T 424.297.3103

F 424.286.2244

W [thetafirm.com]thetafirm.com

ELECTRONIC SERVICE

The sole electronic service address for Theta Law Firm, LLP is eservice@thetafirm.com.

Documents sent to any other e-mail address have not been properly served.

CONFIDENTIAL COMMUNICATIONS

This information is intended for use by the individuals or entity to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and delete the material.

From: Caitlin Scott <cscott@allgteam.com>

Sent: Thursday, April 10, 2025 12:51 PM

To: Sarah Suard <sarah@thetafirm.com>; Audrey Fenton <audrey@thetafirm.com>; American Lemon Law Group <eservice@allgteam.com>; E-Service <eservice@thetafirm.com>

Cc: Soheyl Tahsildoost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Meghan Gallagher <mg@thetafirm.com>; Mariquile Dael <mdael@allgteam.com>; Yvette Linares <ylinares@allgteam.com>; Kyle Tracy <kyle@allgteam.com>

Subject: Re: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDEx)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Sarah,

To recap our phone conversation just now, a L.R. 7-3 meet and confer was held. During this meet and confer, I explained it is Plaintiff's position Defendant has not met its requisite burden to show the case in question should have been removed to federal court. I cited the case of *Gaus v. Miles, Inc.*, 980 F.2d 564, 566 (9th Cir. 1992), which states: "[f]ederal jurisdiction must be rejected if there is any doubt as to the right of removal in the first instance." Since the Monroney sticker attached to the notice of removal is insufficient for Defendant to meet its burden and does not remove all doubts to the right of removal, Plaintiff will be filing her motion for remand.

However, we also discussed a motion for remand may not be necessary if Defendant will stipulate to remand the case back to state court. You told me you did not have authority at present to enter into such a stipulation but would get back to me.

If I do not hear back from you regarding the proposed stipulation by close of business Wednesday, April 16, 2025, then Plaintiff will be moving forward with filing the motion for remand.

If anything in this email is inconsistent with your understanding of our L.R. 7-3 meet and confer phone call, please advise immediately. Thank you in advance and I look forward to working with you.



Caitlin Scott

Senior Attorney

American Lemon Law Group, LLP™

6230 Wilshire Blvd. Suite 885

Los Angeles, CA 90048

Tel: 213.600.1503

Fax: 213.900.7010

Email: cscott@allgteam.com

Web: www.refundyourlemon.com

Privileged/Confidential information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer does not consent to Internet email for messages of this kind. Opinions, conclusions and other information in this Message that do not relate to the official business of my firm shall be understood as neither given nor endorsed by it.

From: Sarah Suard <sarah@thetafirm.com>

Sent: Thursday, April 10, 2025 9:48 AM

To: Caitlin Scott <cscott@allgteam.com>; Audrey Fenton <audrey@thetafirm.com>; American Lemon Law Group <eservice@allgteam.com>; E-Service <eservice@thetafirm.com>

Cc: Soheyl Tahsildoost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Meghan Gallagher <mg@thetafirm.com>; Mariquile Dael <mdael@allgteam.com>; Yvette Linares <ylinares@allgteam.com>; Kyle Tracy <kyle@allgteam.com>

Subject: RE: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDEx)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Hi Caitlin,

Yes, today at noon works for me. You can reach me at (213) 315-4328.

--

Sarah Suard, Esq.

Theta Law Firm, LLP

12100 Wilshire Blvd., Ste. 1070

Los Angeles, CA 90025

T 424.297.3103

F 424.286.2244

W [thetafirm.com]thetafirm.com

ELECTRONIC SERVICE

The sole electronic service address for Theta Law Firm, LLP is eservice@thetafirm.com.

Documents sent to any other e-mail address have not been properly served.

CONFIDENTIAL COMMUNICATIONS

This information is intended for use by the individuals or entity to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and delete the material.

From: Caitlin Scott <cscott@allgteam.com>

Sent: Thursday, April 10, 2025 9:13 AM

To: Sarah Suard <sarah@thetafirm.com>; Audrey Fenton <audrey@thetafirm.com>; American Lemon Law Group <eservice@allgteam.com>; E-Service <eservice@thetafirm.com>

Cc: Soheyl Tahsildoost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Meghan Gallagher <mg@thetafirm.com>; Mariquile Dael <mdael@allgteam.com>; Yvette Linares <ylinares@allgteam.com>; Kyle Tracy <kyle@allgteam.com>

Subject: Re: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDEx)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Hi Sarah,

Does noon work for you?



Caitlin Scott

Senior Attorney

American Lemon Law Group, LLP™

6230 Wilshire Blvd. Suite 885

Los Angeles, CA 90048

Tel: 213.600.1503

Fax: 213.900.7010

Email: cscott@allgteam.com

Web: www.refundyourlemon.com

Privileged/Confidential information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer does not consent to Internet email for messages of this kind. Opinions, conclusions and other information in this Message that do not relate to the official business of my firm shall be understood as neither given nor endorsed by it.

From: Sarah Suard <sarah@thetafirm.com>

Sent: Thursday, April 10, 2025 9:02 AM

To: Caitlin Scott <cscott@allgteam.com>; Audrey Fenton <audrey@thetafirm.com>; American Lemon Law Group <eservice@allgteam.com>; E-Service <eservice@thetafirm.com>

Cc: Soheyl Tahsildoost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Meghan Gallagher <mg@thetafirm.com>; Mariquile Dael <mdael@allgteam.com>; Yvette Linares <ylinares@allgteam.com>; Kyle Tracy <kyle@allgteam.com>

Subject: RE: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDEx)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Hi Caitlin,

What time works for you today to meet and confer regarding this case?

Best,

--

Sarah Suard, Esq.

Theta Law Firm, LLP

12100 Wilshire Blvd., Ste. 1070

Los Angeles, CA 90025

T 424.297.3103

F 424.286.2244

W [thetafirm.com]thetafirm.com

ELECTRONIC SERVICE

The sole electronic service address for Theta Law Firm, LLP is eservice@thetafirm.com. Documents sent to any other e-mail address have not been properly served.

CONFIDENTIAL COMMUNICATIONS

This information is intended for use by the individuals or entity to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and delete the material.

From: Sarah Suard

Sent: Monday, April 7, 2025 9:37 AM

To: 'Caitlin Scott' <cscott@allgteam.com>; Audrey Fenton <audrey@thetafirm.com>; 'American Lemon Law Group' <eservice@allgteam.com>; E-Service <eservice@thetafirm.com>

Cc: Soheyl Tahsildoost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Meghan Gallagher <mg@thetafirm.com>; 'Mariquile Dael' <mdael@allgteam.com>; 'Yvette Linares' <ylinares@allgteam.com>; 'Kyle Tracy' <kyle@allgteam.com>

Subject: RE: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDEx)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Hi Caitlin,

I hope this finds you well. I am following up on a voicemail that I left you regarding the above-mentioned matter. I look forward to talking with you on Thursday regarding our meet and confer. In the meantime, we are working on authority, but our client wants to see the numbers before they approve anything. Will you please send us a copy of the sales contract? Thank you for your cooperation in this matter.

Best,
Sarah

--

Sarah Suard, Esq.
Theta Law Firm, LLP
12100 Wilshire Blvd., Ste. 1070
Los Angeles, CA 90025
T 424.297.3103
F 424.286.2244
W [thetafirm.com]thetafirm.com

ELECTRONIC SERVICE

The sole electronic service address for Theta Law Firm, LLP is eservice@thetafirm.com. Documents sent to any other e-mail address have not been properly served.

CONFIDENTIAL COMMUNICATIONS

This information is intended for use by the individuals or entity to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and delete the material.

From: Sarah Suard

Sent: Friday, April 4, 2025 9:59 AM

To: Caitlin Scott <cscott@allgteam.com>; Audrey Fenton <audrey@thetafirm.com>; American Lemon Law Group <eservice@allgteam.com>; E-Service <eservice@thetafirm.com>

Cc: Soheyl Tahsildoost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Meghan Gallagher <mg@thetafirm.com>; Mariquile Dael <mdael@allgteam.com>; Yvette Linares <ylinares@allgteam.com>; Kyle Tracy <kyle@allgteam.com>

Subject: RE: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDEx)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Counsel,

Thank you for reaching out to me. April 10, 2025 works for my office.

Best,

--

Sarah Suard, Esq.

Theta Law Firm, LLP

12100 Wilshire Blvd., Ste. 1070

Los Angeles, CA 90025

T 424.297.3103

F 424.286.2244

W [thetafirm.com]thetafirm.com

ELECTRONIC SERVICE

The sole electronic service address for Theta Law Firm, LLP is eservice@thetafirm.com. Documents sent to any other e-mail address have not been properly served.

CONFIDENTIAL COMMUNICATIONS

This information is intended for use by the individuals or entity to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and delete the material.

From: Caitlin Scott <cscott@allgteam.com>

Sent: Tuesday, April 1, 2025 3:32 PM

To: Audrey Fenton <audrey@thetafirm.com>; American Lemon Law Group <eservice@allgteam.com>; E-Service <eservice@thetafirm.com>

Cc: Soheyl Tahsildoost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Sarah Suard <sarah@thetafirm.com>; Meghan Gallagher <mg@thetafirm.com>; Mariquile Dael <mdael@allgteam.com>; Yvette Linares <ylinares@allgteam.com>; Kyle Tracy <kyle@allgteam.com>

Subject: Re: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDEx)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Counsel,

Pursuant to Local Rules 7-3, prior to a party filing any motion, the parties must meet and confer to discuss thoroughly, preferably in person, the substance of the contemplated motion and any potential resolution seven (7) days prior to the filing of any motion. Plaintiff intends to file a

motion for remand. Please advise of your availability to discuss the substance of this motion on Friday, April 4, 2025; April 9, 2025; or April 10, 2025. If none of these dates work, please provide alternate dates and times. Thank you in advance.

I look forward to receiving your response.



Caitlin Scott

Senior Attorney

American Lemon Law Group, LLP™

6230 Wilshire Blvd. Suite 885

Los Angeles, CA 90048

Tel: 213.600.1503

Fax: 213.900.7010

Email: cscott@allgteam.com

Web: www.refundyourlemon.com

Privileged/Confidential information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer does not consent to Internet email for messages of this kind. Opinions, conclusions and other information in this Message that do not relate to the official business of my firm shall be understood as neither given nor endorsed by it.

From: Audrey Fenton <audrey@thetafirm.com>

Sent: Wednesday, March 26, 2025 1:49 PM

To: American Lemon Law Group <eservice@allgteam.com>

Cc: Soheyl Tahsildoost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Sarah Suard <sarah@thetafirm.com>; Meghan Gallagher <mg@thetafirm.com>

Subject: Belleville, Nancy v. PCNA - Notice of Removal

Counsel,

Attached please find Defendant's Notice of Removal and supporting documents.

Best,

--

Audrey Fenton
Theta Law Firm, LLP

12100 Wilshire Blvd.

Suite 1070

Los Angeles, CA 90025

T 424.297.3103

F 424.286.2244

E audrey@thetafirm.com

W www.thetafirm.com

ELECTRONIC SERVICE

The sole electronic service address for Theta Law Firm, LLP is eservice@thetafirm.com. Documents sent to any other e-mail address have not been properly served.

CONFIDENTIAL COMMUNICATIONS

This information is intended for use by the individuals or entity to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and delete the material.